

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

William R. Clark,

Petitioner

v.

Wyoming Department of Corrections State
Penitentiary Warden, et al.,

Respondents

Case No. 2:24-cv-01720-CDS-EJY

Order

On September 3, 2024, petitioner William R. Clark filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in the United States District Court for the District of Wyoming. ECF No. 1. The District of Wyoming transferred the case to this Court, explaining that (1) Clark is currently incarcerated in Wyoming for his Wyoming convictions, (2) Clark's Nevada convictions will run consecutive to his Wyoming convictions, (3) it is not clear under the law where an inmate serving consecutive sentences for convictions arising out of different states should file his petition, and (4) this Court is in a better position to adjudicate the petition in this case, which regards Clark's Nevada convictions. ECF No. 2. Before this Court conducts its own initial screening of the petition, it instructs Clark to properly commence this action.

Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The Court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an *in forma pauperis* ("IFP") application on the approved form and includes three specific documents: (a) the prisoner's financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner's account statement for the 6-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Clark has until November 1, 2024, to either pay the \$5 filing fee, submit an IFP application with the required documentation, or file a motion requesting an extension of time.

1 It is therefore ordered that on or before November 1, 2024, Clark must (1) file a complete
2 IFP application with the three supporting documents listed above or (2) pay the \$5 filing fee.
3 Clark's failure to timely comply with this order will result in the dismissal of the petition without
4 prejudice and without further advance notice.

5 It is further ordered that the Clerk of Court send Clark a blank copy of the IFP
6 application form for inmates along with instructions.

7 Dated: September 17, 2024

8
9 
10 Cristina D. Silva
11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28